

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Mark A. Pancari**  
**Cathleen L. Pancari**  
Debtor(s)

Bankruptcy Case No.: 19-22280-CMB  
Per December 9, 2019 Proceeding  
Chapter: 13  
Docket No.: 41 - 6  
Concil. Conf.: March 12, 2020 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 6, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 12, 2020 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Wells Fargo (Cl. #3) .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: December 18, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Mark A. Pancari  
 Cathleen L Pancari  
 Debtors

Case No. 19-22280-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dric  
 Form ID: 149

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 Total Noticed: 34

Date Rcvd: Dec 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 20, 2019.

db/jdb +Mark A. Pancari, Cathleen L Pancari, 1160 Cross Creek Road, Burgettstown, PA 15021-2402  
 15065264 +Aes/pheaa, P.O. Box 2461, Harrisburg, PA 17105-2461  
 15065266 +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801  
 15065270 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157  
 (address filed with court: Columbia Gas, P.O. Box 742537, Cincinnati, OH 45274)  
 15065268 Chase Mortgage, 3475 Vision Drive, Columbus, OH 43219  
 15104890 +Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493  
 15065269 +Collection Service Ctr / Wash Ped Adoles, Attn: Bankruptcy, Po Box 560,  
 New Kensington, PA 15068-0560  
 15065271 +Cornerstone Care, 7 Goassworks Road, Greensboro, PA 15338-9507  
 15105185 Ditech Financial LLC, P.O. Box 12740, Tempe, AZ 85284-0046  
 15065273 +Ditech Financial LLC, c/o Kevin McDonald, Esq., KLM Law Group,  
 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541  
 15065275 +Independence - Cross Creek Jt Sewage, P.O. Box 156, Avella, PA 15312-0156  
 15065276 +Kidney Care Center, 280 North Avenue, Washington, PA 15301-3513  
 15065277 +PA-American Water, P.O. Box 371412, Pittsburgh, PA 15250-7412  
 15065279 +Quality Asset Recovery / Cornerstone Car, Attn: Bankruptcy, Po Box 239,  
 Gibbsboro, NJ 08026-0239  
 15065280 +Trac/CBCD/Citicorp, Citicorp Credit/Centralized Bankruptcy, Po Box 20507,  
 Kansas City, MO 64195-0507  
 15065281 +Transworld / Bartusiak Dental, 500 Virginia Drive, Suite 514,  
 Fort Washington, PA 19034-2733  
 15065283 +US Dept of Education, P.O. Box 105028, Atlanta, GA 30348-5028  
 15117444 +Unifund CCR, 10625 Techwoods Circle, Cincinnati, OH 45242-2846  
 15065282 +Us Dept Of Ed/glelsi, Po Box 7860, Madison, WI 53707-7860  
 15065285 +Washington Health System, P.O. Box 16243, Pittsburgh, PA 15242-0243  
 15092377 +Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO Box 130000, Raleigh NC 27605-1000  
 15065286 +Wells Fargo Dealer Services, Attn: Bankruptcy, Po Box 19657, Irvine, CA 92623-9657

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 cr

+E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 19 2019 03:18:12  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15065265 +E-mail/Text: girddb@aessuccess.org Dec 19 2019 03:15:35 American Education Services,  
 1200 North 7th Street, Harrisburg, PA 17102-1419  
 15065272 E-mail/Text: mrdiscen@discover.com Dec 19 2019 03:15:25 Discover Financial,  
 Attn: Bankruptcy Department, Po Box 15316, Wilmington, DE 19850  
 15071373 E-mail/Text: mrdiscen@discover.com Dec 19 2019 03:15:25 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 15065274 +E-mail/Text: bankruptcy.bnc@ditech.com Dec 19 2019 03:15:32 Ditech Mortgage,  
 P.O.Box 94710, Palatine, IL 60094-4710  
 15105296 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 19 2019 03:19:10  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 15065278 +E-mail/PDF: gecsedirecoverycorp.com Dec 19 2019 03:18:06 Paypal Credit, P.O. Box 105658,  
 Atlanta, GA 30348-5658  
 15075325 +E-mail/PDF: gecsedirecoverycorp.com Dec 19 2019 03:19:57 Synchrony Bank,  
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15065284 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Dec 19 2019 03:15:20  
 Verizon, Verizon Wireless Bk Admin, 500 Technology Dr Ste 550,  
 Weldon Springs, MO 63304-2225  
 15099998 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Dec 19 2019 03:19:11 Verizon,  
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457  
 15065287 +E-mail/Text: bankruptcy@firstenergycorp.com Dec 19 2019 03:15:58 West Penn Power,  
 P.O. Box 3687, Akron, OH 44309-3687  
 15075572 +E-mail/Text: bankruptcy@firstenergycorp.com Dec 19 2019 03:15:58 West Penn Power,  
 5001 NASA Blvd., Fairmont, WV 26554-8248

TOTAL: 12

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr DITECH FINANCIAL LLC  
 15117487\* ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157  
 (address filed with court: Columbia Gas of PA, P.O. Box 117, Columbus, OH 43216)  
 15065267 ##+Barclays Bank Delaware, c/o Michael Ratchford, Esq., 409 Lackawana Ave., Suite 3C,  
 Scranton, PA 18503-2059

TOTALS: 1, \* 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

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Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

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Total Noticed: 34

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\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 20, 2019

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 18, 2019 at the address(es) listed below:

David A. Rice on behalf of Debtor Mark A. Pancari ricelaw1@verizon.net, lowdenscott@gmail.com  
David A. Rice on behalf of Joint Debtor Cathleen L Pancari ricelaw1@verizon.net,  
lowdenscott@gmail.com  
James Warmbrodt on behalf of Creditor DITECH FINANCIAL LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
Scott R. Lowden on behalf of Joint Debtor Cathleen L Pancari niclowlgl@comcast.net  
Scott R. Lowden on behalf of Debtor Mark A. Pancari niclowlgl@comcast.net

TOTAL: 7